

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box: Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231,

PATENT

on

April 30, 2002

By:

Lois E. Miller



Attorney Docket No.  
DX0724XK1

CN 028008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gerard T. HARDIMAN, *et al.*

Serial No.: 09/950,041

Filed: September 10, 2001

For: HUMAN RECEPTOR PROTEINS;  
RELATED REAGENTS AND  
METHODS

Examiner: not yet assigned

Art Unit: 1653

NOTICE TO CORRECT  
OFFICIAL FILING RECEIPT

Palo Alto, California 94304

April 29, 2002

Box: Missing Parts  
Office of Initial Patent Examination's Customer Service Center  
Honorable Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants request correction of the official filing receipt (copy attached) in the above-identified patent application.

In the section "Continuing Data as Claimed by Applicant," the data is incomplete. Please add the information indicated in bold type:

THIS APPLN IS A CIP OF 09/728,540 11/28/2000  
WHICH CLAIMS BENEFIT OF 60/207,588 05/25/2000  
**AND PRIORITY TO 09/073,363 05/06/1999**  
WHICH CLAIMS BENEFIT OF 60/044,293 05/07/97  
AND CLAIMS BENEFIT OF 60/072,212 01/22/98  
AND CLAIMS BENEFIT OF 60/076,947 03/05/98


This information is also located in the specification on page one beginning at line three, in the Declaration on pages one and two, and in the patent Application Transmittal, in section one, listed under "PRIORITY - - 35 U.S.C. 119.

Applicants will anticipate a corrected filing receipt. If there is a problem with this request, please contact the undersigned. Applicants do not believe there is a fee required for this correction; however, if such a fee is required the Commissioner is hereby authorized to charge DNAX Research Institute Deposit account no. 04-1239.

Respectfully submitted,

Date: April 29, 2002

DNAX Research Institute  
901 California Avenue  
Palo Alto, CA 94304-1104  
Tel: (650) 496-1244  
Fax: (650) 496-1200

By:   
\_\_\_\_\_  
Sheela Mohan-Peterson  
Attorney for Applicant(s)  
Registration No. 41,201

Enclosures: As noted.

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Box: Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231,

**PATENT**

on

April 30, 2002

Attorney Docket No.  
DX0724XK1

CN 028008

By:

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

is the application of:

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For: HUMAN RECEPTOR PROTEINS;  
RELATED REAGENTS AND  
METHODS

Examiner: not yet assigned

Art Unit: 1653

RESPONSE TO NOTICE TO FILE MISSING  
PARTS - FILING DATE GRANTED

Palo Alto, California 94304

April 29, 2002

5

BOX MISSING PARTS  
Assistant Commissioner for Patents  
Washington, D.C. 20231

10

Sir:

In response to the "Notice to File Missing Parts of Application - Filing Date Granted" mailed by the United States Patent and Trademark Office on January 30, 2002, enclosed are the following to be made of record in the above-identified application:

15

1. Declaration and Power of Attorney signed (in counterpart) by inventors Gerard T. Hardiman, Fernando L. Rock, J. Fernando Bazan, Robert A. Kastelein, Stephen W.K. Ho, and Yong-Jun Liu signed in compliance with 37 CFR 1.63;

2. A request for a one-month extension of time to respond, extending the time for response from March 30, 2002, to April 30, 2002; and,

20

3. A copy of the "Notice to File Missing Parts of Application - Filing Date Granted."

A response to the "Notice to Comply" portion of the Notice to File Missing Parts is sent under separate cover and addressed to the U.S. Patent and Trademark Office, BOX SEQUENCE, P.O. Box 2327, Arlington, VA 22202, pursuant to instructions found on the USPTO's web site.

Please charge the total of \$1116.00, as calculated below, to DNAX Research Institute  
Deposit account no. 04-1239:

Fee for filing Missing Parts of Application		
FOR:	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	22 - 20 =	0*
INDEP CLAIMS	6 - 3 =	0*
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED		
* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.		

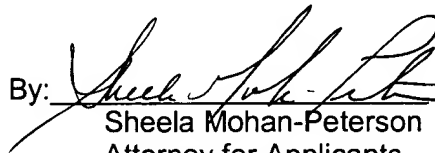
	\$130.00
RATE	FEE
	\$ 710.00
x18=	\$ 36.00
X84=	\$240.00
+260=	\$ 0.00
TOTAL	\$1116.00

5 The Commissioner is hereby authorized to charge any additional fees associated with  
this paper or during the pendency of this application, or credit any overpayment to DNAX  
Research Institute Deposit Account No. 04-1239.

Please telephone the undersigned at (650) 852-9196, if there are any questions. This  
form is being submitted in duplicate.

Respectfully submitted,

15 April 29, 2002

By:   
Sheela Mohan-Peterson  
Attorney for Applicants  
Reg. No. 41,201

20 DNAX Research Institute  
901 California Avenue  
Palo Alto, California, 94304-1104  
Tel. No. (650) 852-9196  
Fax No.: (650) 496-1200

25 Enclosures:

- 30
- 1) Copy of this Transmittal (in duplicate);
  - 2) Request for a one month extension of time (in duplicate);
  - 2) Signed Declaration and Power of Attorney;
  - 3) Copy of Notice to File Missing Parts; and,
  - 4) Return Postcard



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/950,041	09/10/2001	1653	0.00	DX0724XK1	6	22	6

CONFIRMATION NO. 2187

**FILING RECEIPT**



\*OC000000007391823\*

DNAX RESEARCH INSTITUTE  
901 California Avenue  
Palo Alto, CA 94304-1104

Date Mailed: 01/30/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Gerard T. Hardiman, San Diego, CA;  
Fernando L. Rock, La Honda, CA;  
Bazan J. Fernando, Palo Alto, CA;  
Robert A. Kastelein, Redwood City, CA;  
Stephen W.K. Ho, Sunnyvale, CA;  
Yong-Jun Liu, Palo Alto, CA;

**Assignment For Published Patent Application**

Schering Corporation, a New Jersey Corporation;

**Domestic Priority data as claimed by applicant**

THIS APPLICATION IS A CIP OF 09/728,540 11/28/2000  
WHICH CLAIMS BENEFIT OF 60/207,558 05/25/2000  
AND CLAIMS BENEFIT OF 60/044,293 05/07/1997  
AND CLAIMS BENEFIT OF 60/072,212 01/22/1998  
AND CLAIMS BENEFIT OF 60/076,947 03/05/1998

← missing Priority info  
re: 09/073,363

**Foreign Applications**

FEB -6 2002

If Required, Foreign Filing License Granted 01/30/2002

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

COPIED FOR S-P ON  
DATE FEB 11 2002

Early Publication Request: No

**Title**

Human receptor proteins; related reagents and methods

**Preliminary Class**

435

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/950,041	09/10/2001	Gerard T. Hardiman	DX0724XK1

CONFIRMATION NO. 2187

## FORMALITIES LETTER



\*OC000000007391824\*

DNAX RESEARCH INSTITUTE  
901 California Avenue  
Palo Alto, CA 94304-1104

Date Mailed: 01/30/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$276.
 

02 FC:105	130.00 CH
03 FC:101	740.00 CH
04 FC:103	36.00 CH
05 FC:102	252.00 CH

  - \$36 for 2 total claims over 20.
  - \$240 for 3 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1116.
- A request to transfer the computer readable form from another application on file at the U.S. Patent and Trademark Office has been submitted as permitted by 37 C.F.R. 1.821(e). However, the request cannot be complied with since there is no compliant CRF present at the United States Patent and Trademark Office. Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at

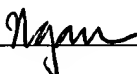
Sent to Box Sequence  
Arlington, VA

Sent to box Missing Parts

patin21help@uspto.gov or patin3help@uspto.gov

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*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in dark ink, appearing to be 'Ngan', is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE